

## SPECIFICATION

### TITLE

"ORNAMENTAL PACKAGE FOR A CONSUMABLE PRODUCT OR THE  
LIKE"

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### BACKGROUND OF THE INVENTION

The present invention relates generally to packaging. More particularly, the present invention relates to packaging for storing and dispensing consumable products.

10 The packaging for consumable or confectionary products is very important to the look, marketing and storage of the product. Very often, in addition to text on the packaging, the packaging also attempts to visually convey a message about the type of product, the taste of the product or the purpose of the product. For example, packages for cinnamon or cherry tasting products are often red, grape tasting product  
15 packaging is often purple, etc. Once the consumer has identified a desired brand, the consumer can typically choose a product based solely on the color of the packing.

In marketing the product, packaging can convey other information besides taste. For example, certain recent gum products have been developed that have had increased minty taste and that also whiten teeth and freshen breath. The packaging  
20 for these products can be made to look like a known toothpaste housing. The consumer can thereby associate the product with its affect by simply viewing the packaging.

Additionally, packaging can convey a theme or themes. For example, confectionary products such as gum products have been placed in packages in the  
25 shape of a candy cane to represent a theme such as Christmas. The packaging for these products can be made to look like a candy cane or other image associated with the Christmas theme.

There are also other marketable facets to packaging consumable products, namely, making the packaging see through or transparent so that a consumer can  
30 view the products inside the packaging. See-through or transparent packaging enables the consumer to know what product is contained inside the packaging.

The consumable products may be packaged as independent pieces or as a group of pieces such as a pack of gum. Typically, the groups or packages of consumable products such as packs of gum each include a code such as a bar code or Universal Product Code (UPC) symbol. The UPC symbol on the individual packages identifies the price or cost of the packages. Similarly, when the individual packages such as the gum packs are inserted into a larger package such as the candy cane shaped package described above, the product and thereby the UPC symbol on the products are visible. The difficulty with this type of packaging arises when the larger ornamental package such as the candy cane package is scanned during check-out at a store because the individual UPC symbols on the individual packages such as the individual gum packs are scanned instead of the UPC symbol for the larger ornamental package. As a result, the cost or price of the complete package is erroneous because only the price or cost of one of the individual packages is scanned and read by the scanner. Therefore, consumable products may be scanned incorrectly and/or sold for the wrong price or cost. This leads to significant profit losses for the manufacturers of the consumable products.

It is therefore desirable to provide a package for consumable products that enables the correct bar code of a product package to be scanned.

## SUMMARY OF THE INVENTION

The present invention provides an improved product holding package and an improved method for manufacturing, holding, storing and selling products, especially consumable products. In an embodiment, a package for a consumable product is provided. The package includes a housing is constructed to enable at least portions of some of the products to be visible and prevent the codes such as bar codes to be read by a scanner. As a result, the correct bar code associated with the package is scanned by scanner.

In one embodiment of the present invention, a package for holding a plurality of products including codes that are read by a scanner is provided. The package includes a housing including an interior for receiving the products. The housing is so constructed and arranged to enable at least portions of the products to be visible but

prevent the codes on the products to be read by the scanner. The housing includes at least one code which is readable by the scanner.

In an embodiment, at least a portion of the housing includes a cover material.

5 In an embodiment, at least a portion of the housing is substantially non-transparent.

In an embodiment, at least a portion of the housing is opaque.

In an embodiment, at least one lid is removably attached to the housing so the products in the housing cannot fall out of the housing.

10 In an embodiment, the housing includes two open ends for receiving the products.

In an embodiment, at least two lids are removably attached to the housing so the products in the housing cannot fall out of the housing.

15 In another embodiment of the present invention, a package for holding a plurality of consumable products is provided. Each of the consumable products includes a bar code readable by a scanner. The package includes a housing. The housing includes a cover material. The cover material is positioned to enable at least portions of the consumable products to be visible and prevent the bar codes on the consumable products from being read by the scanner.

In an embodiment, the bar codes are Universal Product Code symbols.

20 In an embodiment, a lid is attached to one end of the housing so that the products cannot fall out of the housing.

In an embodiment, the housing includes two open ends for receiving the products.

25 In an embodiment, at least two lids are attached to the housing to cover the openings so the products in the housing cannot fall out of the housing.

30 In a further embodiment of the present invention, a package for consumable products in the shape of a Christmas ornament is provided. The package includes at least one consumable product including a bar code inserted in a housing shaped like a Christmas ornament. The housing includes at least one other bar code readable by the scanner. In addition, at least a portion of the housing includes a wrapping material, where the wrapping material enables at least portions of the consumable products to be visible and prevents the bar codes on the consumable products from being read by the scanner.

In an embodiment, the bar codes are Universal Product Code symbols.

In an embodiment, the wrapping material is at least one ribbon attached to the outside of the housing.

5 In an embodiment, the wrapping material is integrally formed with the housing.

In an embodiment, at least a portion of the housing is opaque.

In another embodiment of the present invention, a method of packaging consumable products having at least one bar code readable by a scanner is provided. The method includes providing a housing for receiving at least one consumable  
10 product. The method then includes the step of constructing at least a portion of the housing to enable at least portions of the consumable products to be visible and prevent the bar codes on the consumable products from being read by a scanner. Next, the method includes the step of constructing the housing to include at least one bar code which is readable by the scanner. The next step is placing at least one  
15 consumable product in the housing.

In an embodiment, the method includes the step of constructing the housing to include a cover material to enable at least portions of the consumable products to be visible and prevent the bar codes on the consumable products from being read by a scanner.

20 In an embodiment, the method includes the step of constructing the housing to include a cover material includes integrally forming the cover material with the housing.

In an embodiment, the method includes the step of at least partially forming the housing with an opaque material.

25 In an embodiment, the method includes the step of placing the products in the housing so the products cannot fall out of the housing.

In an embodiment, the method includes the step of placing at least one cover on the housing so the products in the housing cannot fall out of the housing.

30 An advantage of the present invention is to provide a package for consumable products that can be properly scanned by a scanner.

Additional features and advantages of the present invention are described in, and will be apparent from, the following Detailed Description of the Invention and the figures.

## BRIEF DESCRIPTION OF THE FIGURES

Figure 1 is a front perspective view of one embodiment of the ornamental  
5 package of the present invention.

Figure 2 is a front perspective view of another embodiment of the ornamental  
package of the present invention.

Figure 3 is a front perspective view of a further embodiment of the  
ornamental package of the present invention.  
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## DETAILED DESCRIPTION OF THE PRESENTLY PREFERRED EMBODIMENTS

Referring now to the drawings and in particular to Figure 1, an embodiment of the package 10 of the present invention is illustrated. The package 10 in the  
5 illustrated embodiment includes a housing 14 and a lid 16. In one embodiment, the housing 14 is manufactured using a suitable material such as plastic and is formed to define a receptacle or compartment for receiving at least one consumable product. The lid 16 is manufactured using a suitable material such as plastic and is sized to fit or connect to one end of the housing 14. The cover is removably attached to the  
10 housing so that products can be placed in or removed from the housing.

In an embodiment, at least a portion of the housing 14 includes a substantially transparent or see-through material which enables a consumer to view the consumable product 12 stored inside the package 10. The transparent or see-through material may be any suitable transparent material such as a transparent plastic or the  
15 like.

In the illustrated embodiment, the housing 14 and each of the consumable products 12 include a bar code 18 and 20, respectively, such as a Universal Product Code ("UPC") symbol. The bar code is associated with a price or cost for the products and the package 10 including one or more of the consumable products.  
20 Although in the illustrated embodiment, the bar code 18 is attached to the housing, the bar code may be attached or otherwise affixed to the housing 14, the lid 16 or any suitable portion of the package 10.

In an embodiment, the bar codes 20 are positioned so that a portion of the bar codes on the products are not readable by a scanner. In Figure 1, the consumable  
25 product packages 12 are inserted or placed in the housing 14 and sealed in the housing using the lid 16. Because the individual consumable product packages 12 are positioned so that a portion of the bar codes are not readable by the scanner, the package 10 and specifically the code 18 associated with package 10, can be scanned by a scanner without mistakenly scanning one or more of the bar codes on the  
30 consumable product packages 12. This enables the package 10 to be properly scanned and enables the correct price to be identified or indicated to the consumer.

Referring now to Figure 2, another embodiment of the package 10 is illustrated where the housing 14 is manufactured using a substantially non-

transparent material or opaque material. The substantially non-transparent material or opaque material is selected and used to form the housing 14 based on the material's effectiveness for obscuring, covering or blocking the codes 20 on each of the consumable packages 12 inside the package 10. The non-transparent or opaque material prevents or at least partially covers or blocks the individual bar codes on each of the consumable product packages 12. This prevents the scanner associated with the register from mistakenly reading or scanning one or more of the bar codes 20 on the consumable product packages 12 when a retailer is attempting to scan the bar code 18 for the entire package 10 including all of the consumable product packages 12. It should be appreciated that non-transparent material or opaque material may be any suitable non-transparent or opaque material. In an embodiment, the non-transparent or opaque material may include one or more colors and are associated with a theme or themes such as Christmas or other holidays.

Referring now to Figure 3, another embodiment of the package 10 is illustrated where the housing 14 includes an obscuring or cover material 22. In the illustrated embodiment, the cover material 22 is wrapped around and attached to the outside surface of the housing 14 to at least partially cover or block the bar codes 20 on the individual consumable product packages 12. In an embodiment, the cover material 22 is a cloth-like material which is wrapped around the outside of the housing 14 and attached to the housing using a suitable adhesive, glue or the like.

In another embodiment, the cover material 22 is integrally formed with the housing 14. For example in Figure 3, the cover material 22 is integrally formed with the housing 14 and forms a plurality of generally diagonally positioned stripes or lines on the housing 14. The cover material 22 may be any suitable material and may be positioned in any suitable location or locations on the housing 14. As illustrated in Figure 3, the cover material at least partially blocks or covers the consumable packages 12. Specifically, the cover material at least partially blocks or covers the bar codes 20 on each of the consumable product packages 12 to prevent these bar codes 20 from being scanned or read by a scanner while enabling bar code 18 to be scanned by a scanner. The cover material 22 may be integrally formed with the housing, included on the outside of the housing, included on the inside of the housing or otherwise connected or attached to any portion of the housing.

In one packaging method, a package including a housing having an open end for receiving products is provided, where at least a portion of the housing enables the products to be visible and prevents the bar codes on the products from being read by a scanner. Next, the products are placed in the housing. Then, at least one bar code  
5 is attached to the housing, where the bar code is readable by the scanner.

In an embodiment, a cover or sealing device 16 is secured to one end of the housing 14 of the package 10. At least a portion of the housing 14 enables a consumer to be able to view the consumable products 12 inside of the package 10 and enables a scanner to read or scan the bar code 18 for the package, while  
10 preventing the bar codes 20 on the products 12 from being read by the scanner. In an embodiment, the cover material 22 is configured in a pattern or design on the housing. For example as illustrated in Figure 3, the cover material 22 is configured as generally diagonal lines across the housing 14. The cover material may be configured as vertically lines, horizontal lines, diagonal lines or in any configuration  
15 or pattern on the housing 14.

In another embodiment, the housing is formed in the shape of a Christmas ornament for promoting and selling consumable products such as chewing gum during the Christmas season. The housing is formed or molded into the ornament shape. The housing may also be molded into a candy cane, wreath or other shape  
20 associated with Christmas. In this example, the cover material 22 includes at least one ribbon such as a red Christmas ribbon that is wrapped around the housing 14 to enable portions of the consumable products to be visible but prevent the bar codes on those products from being read by a scanner. It should be appreciated that the housing 14 may be any suitable size or shape. It should also be appreciated that the  
25 cover material 22 may be a cloth-like material or any other suitable material.

It should be understood that various changes and modifications to the presently preferred embodiments described herein will be apparent to those skilled in the art. Such changes and modifications can be made without departing from the spirit and scope of the present invention and without diminishing its intended  
30 advantages. It is therefore intended that such changes and modifications be covered by the appended claims.